

USDC UT Approved 06/06/00 Revised 11/03/00

FILED
CLERK, U.S. DISTRICT COURT**United States District Court**
District of Utah

16 AUG 01 AM 10:14

DISTRICT OF UTAH

UNITED STATES OF AMERICA**vs.****JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

DEPUTY CLERK

Brent Joseph MarchantCase Number: **2:01-CR-00108 ST**Plaintiff Attorney: **Michele Christiansen**Defendant Attorney: **Richard Mauro**Atty: CJA ☒ Ret ☐ FPD ☐Defendant's Soc. Sec. No.: **528-31-7681**Defendant's Date of Birth: **02/06/1966****08/14/2001**

Date of Imposition of Sentence

Defendant's USM No.: **08581-081**

Defendant's Residence Address:

344 East 1650 South

Defendant's Mailing Address:

344 East 1650 South

Bountiful, Utah 84010-4020

Country **USA**

Bountiful, Utah 84010-4020

Country **USA**

THE DEFENDANT:

☒ pleaded guilty to count(s)**1 and 2 of the Indictment**☐ pleaded nolo contendere to count(s)
which was accepted by the court.☐ was found guilty on count(s)COP **05/15/200** Verdict**Title & Section**

18 USC § 2252A

18 USC § 2422(b)

Nature of Offense

Possession of Child Pornography

Coercion and Enticement

Count**Number(s)**

1

2

Entered on docket

8-17-01 by:

Deputy Clerk

☐ The defendant has been found not guilty on count(s)☐ Count(s) (is)(are) dismissed on the motion of the United States.**SENTENCE**

Pursuant to the Sentencing Reform Act of 1984, it is the judgment and order of the Court that the defendant be committed to the custody of the United States Bureau of Prisons for a term of

Upon release from confinement, the defendant shall be placed on supervised release for a term of

☒ The defendant is placed on Probation for a period of **36 Months**

The defendant shall not illegally possess a controlled substance.

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For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☒ The above drug testing condition is suspended based on the court's determination that the defendant possesses a low risk of future substance abuse. (Check if applicable.)

SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

In addition to all Standard Conditions of (Supervised Release or Probation) set forth in PROBATION FORM 7A, the following Special Conditions are imposed: (see attachment if necessary)

1. The defendant shall serve 6 months home confinement, as a condition of supervision/probation, as follows: The dft shall remain in his residence at all times, except for approved leave for the following reasons: work release; medical release; release to attend religious services; and release to participate in mental health treatment, all subject to the approval of the supervising officer. Home confinement shall begin immediately.
2. The defendant shall register with the State Sex Offender Registration Agency in any State where the dft shall reside, is employed, carries on a vocation, or is a student, as directed by the probation officer.
3. The defendant shall participate in a sex offender treatment program, as directed by the probation officer.
4. The defendant is restricted from visitation with individuals who are under 18 years of age without adult supervision as approved by the probation office.
5. The defendant shall not possess any sort of pornography.
6. The defendant is restricted from using or having access to the Internet.

CRIMINAL MONETARY PENALTIES

FINE

The defendant shall pay a fine in the amount of \$ _____, payable as follows:

- ☐ forthwith.
- ☐ in accordance with the Bureau of Prison's Financial Responsibility Program while incarcerated and thereafter pursuant to a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☐ in accordance with a schedule established by the U.S. Probation office, based upon the defendant's ability to pay and with the approval of the court.
- ☒ other:
No Fine Imposed

- ☐ The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f).

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- ☐ The interest requirement is waived.
☐ The interest requirement is modified as follows:
-

RESTITUTION

The defendant shall make restitution to the following payees in the amounts listed below:

<u>Name and Address of Payee</u>	<u>Amount of Loss</u>	<u>Amount of Restitution Ordered</u>
----------------------------------	-----------------------	--

Totals: \$ _____ \$ _____

(See attachment if necessary.) All restitution payments must be made through the Clerk of Court, unless directed otherwise. If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless otherwise specified.

- ☐ Restitution is payable as follows:
- ☐ in accordance with a schedule established by the U.S. Probation Office, based upon the defendant's ability to pay and with the approval of the court.
 - ☐ other: _____
- ☐ The defendant having been convicted of an offense described in 18 U.S.C. §3663A(c) and committed on or after 04/25/1996, determination of mandatory restitution is continued until _____ pursuant to 18 U.S.C. § 3664(d)(5)(not to exceed 90 days after sentencing).
- ☐ An Amended Judgment in a Criminal Case will be entered after such determination

SPECIAL ASSESSMENT

The defendant shall pay a special assessment in the amount of \$ 200.00, payable as follows:

☒ forthwith.

☐ _____

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid

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PRESENTENCE REPORT/OBJECTIONS

The court adopts the factual findings and guidelines application recommended in the presentence report except as otherwise stated in open court.


RECOMMENDATION

- ☐ Pursuant to 18 U.S.C. § 3621(b)(4), the Court makes the following recommendations to the Bureau of Prisons:
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CUSTODY/SURRENDER

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district at _____ on _____.
- ☐ The defendant shall report to the institution designated by the Bureau of Prisons by _____ Institution's local time, on _____.

DATE: 8/16/01



Ted Stewart
United States District Judge

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RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

tsi

United States District Court
for the
District of Utah
August 17, 2001

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:01-cr-00108

True and correct copies of the attached were either mailed or faxed by the clerk to the following:

Jason Paul Perry, Esq.
UTAH ATTORNEY GENERAL'S OFFICE
236 STATE CAPITOL
SALT LAKE CITY, UT 84114
JFAX 9,5381699

Mr Richard P Mauro, Esq.
43 E 400 S
SALT LAKE CITY, UT 84111
JFAX 9,3643232

USMS
DISTRICT OF UTAH
,
JFAX 9,5244048

US Probation
DISTRICT OF UTAH
,
JFAX 9,5261136